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I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231,

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11/10/97 X Delullo
Name

File No.: 2338/08419

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Roland SEEBACHER et al.

Serial No: 08/135,059 Examiner: Ms. Andrea L. Pitts

Filed: 10/12/93

Group Art Unit: 3502

POWER TRANSMITTING APPARATUS WITH FLUID COUPLING

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Hon. Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

For:

Applicant hereby appeals to the Board of Appeals from the decision dated May 8, 1997 of the Primary Examiner finally rejecting claims 1-19, 21, 22, 24-27, 29, 30 and 69.

12/04/1997 EKURTZ 00000045 04 to the checked below are applicable: 310.00 0P

#. 12/4

- 1. [X] An extension of time to respond to the final rejection is required: a petition and fee of \$950.00 are enclosed.
- 2. [] A timely response to the final rejection has been filed.
- 3. [X] Fee \$310.00: [] Fee \$155.00 (small entity): [X] Enclosed
 - [] Not required (fee paid in prior appeal)
 - [X] Charge any deficiency to Deposit Account No. 04-0100

Dated: November 6, 1997

DARBY & DARBY P.C. 805 Third Avenue New York, New York 10022 212-527-7700 Respectfully submitted,

Henry Sternberg Reg. No. 22,408

Attorney for Applicant(s)

PTO-16